IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6944 of 1987

For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI
and
Hon'ble MR.JUSTICE P.B.MAJMUDAR

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JIVAN PADHU MASANI

Versus

DISTRICT COLLECTOR

Appearance:

MR AKSHAY H MEHTA for Petitioner
MR VM PANCHOLI, ASSTT. GOVERNMENT PLEADER for Respondent No. 1
MR JR NANAVATI for Respondent No. 3

CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI
and
MR.JUSTICE P.B.MAJMUDAR

Date of decision: 03/04/2001

ORAL JUDGEMENT

(Per : MR.JUSTICE P.B.MAJMUDAR)

The learned Counsel Mr. J.R. Nanavati, appearing for the respondent No.3 Nagar Palika states that the period prescribed for holding the office of President and Vice-president of the Nagar Palika is already over and therefore, this petition has become infructuous and the challenge becomes purely academic. In view of the statement made by Mr. J.R. Nanavati, we dispose of this petition as having become infructuous. The question of vires of Rule 9 of the Gujarat Municipalities (President and Vice President) Election Rules, 1964 challenged in the petition is not decided by

this Court, since the term of President and Vice President is already over and the challenge becomes academic. The petition is disposed of as having become infructuous. Rule is discharged with no order as to costs.

(D.M.Dharmadhiraki, C.J.) (P.B.Majmudar, J.)

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